

**Merchant & Gould**

An Intellectual Property Law Firm

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**Fax Transmission**

April 13, 2004

TO: Commissioner for Patents  
Attn: DeShawn Durham  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: John C. Reich

OUR REF: 13437.0001USC2  
TELEPHONE: 612.336.4608

Total pages, including cover letter: 5

**PTO FAX NUMBER 1-703-308-7751**

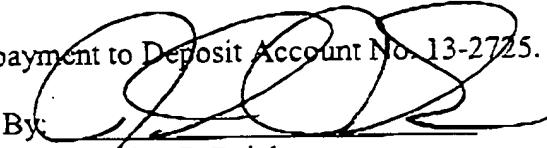
If you do NOT receive all of the pages, please telephone us at 612.336.4667, or fax us at 612.332.9081.

Document Transmitted: Request for Withdrawal as Attorney of Record.

Applicant: EV&M  
Serial No.: 10/804604  
Filed: 03/18/2004  
Patent No.: Pending  
Issue Date: Pending  
Our Ref. No.: 13437.0001USC2

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402  
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By:   
Name: John C. Reich  
Reg No.: 37,703

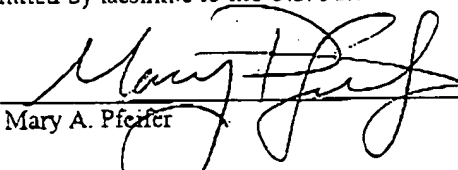
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the following date.

  
Mary A. PfeiferDate 4/13/04

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	EV&M	Examiner:	Unknown
Serial No.:	10/804604	Group art:	Unknown
Filed:	03/18/2004	Docket No.:	13437.0001USC2
Patent No.:	Pending	Issue Date:	Pending
Title:	ACTIVE TISSUE AUGMENTATION MATERIALS AND METHOD		

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on. 4/13/04

  
Mary A. Pfeifer

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEY

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, John C. Reich, the attorney authorized to sign and is signing below on behalf of all attorneys identified by name in the Combined Declaration and Power of Attorney signed and submitted with the application listed herein, respectfully request permission to withdraw from all further responsibility in this case in accordance with 37 C.F.R. § 1.36.

1. The last known mailing address of the client is:

Edward Villaume  
EV&M  
520 North Kings Road  
Suite 303  
West Hollywood, CA 90048-6050

2. The reasons for our request are as follows:

A. The client has an outstanding balance on an unpaid bill and has refused to pay moneys due and owing for the drafting and prosecution of the application, including payments for legal fees and PTO fees.

B. Numerous attempts have been made to collect the amounts due and owing, with no result.

C. The foregoing reasons are believed to be valid grounds for permissive withdrawal under 37 C.F.R. §10.40(c)(iv) and/or (vi).

ALLOWANCE OF TIME FOR CLIENT TO ACT

3. There are at least 30 days between the date of the application for withdrawal and any expiration date of a time period for response without a possible extension period.

NOTIFICATION OF CLIENT

4. In accordance with 37 C.F.R. §10.40(a), a copy of this request, including attachments, as well as all papers and property in the attorney's file concerning the prosecution of the application, have been delivered to the applicant.

NUMBER OF COPIES OF REQUEST

5. A copy of this request is being forwarded to the client.

SIGNATURE OF WITHDRAWING ATTORNEY

6. Signature of the attorney withdrawing:



Respectfully submitted  
By Attorney  
MERCHANT & GOULD, P.C.  
3200 IDS Center  
Minneapolis, MN 55402-2215

Date

April 13, 2004

A handwritten signature in black ink, appearing to read 'John C. Reich', written over a horizontal line.

John C. Reich  
USPTO Reg. No. - 37,703

# Merchant & Gould

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jreich@merchant-gould.com

April 13, 2004

Edward Villaume  
EV&M  
520 North Kings Road  
Suite 303  
West Hollywood, CA 90048-6050

For  
0001USC2

Re: Withdrawal From Representation  
Merchant & Gould Reference No.: 13437.000000WD

Dear Mr. Villaume:

In a previous letter, we had advised you that we filed a continuation application to preserve your patent rights and provide you with time to find alternative counsel. As part of our withdrawal process, we have requested from the United States Patent and Trademark Office permission to withdraw as attorney of record for this continuation application as well. Enclosed please find copies of these requests. This filing with the United States Patent and Trademark Office will allow us to formally withdraw from representation. Once approval is received by Merchant & Gould, we will no longer be held responsible for your legal matters.

Also, I am transferring to you at this time the original file for the continuation application and have not retained a copy. This file will be removed from our docket system, and once the Patent & Trademark Office has granted the withdrawal, we understand that you will assume responsibility for all future docket dates. Enclosed is a current Docket Report detailing all outstanding due dates for the next one year period. We have removed these deadlines from our docket and annuity system. You are advised to immediately seek new counsel so as not to jeopardize your intellectual property portfolio. Failure to respond as required by the USPTO to future docket dates could result in the loss of your intellectual property rights.


Minneapolis/St. Paul  
Denver  
Seattle  
Atlanta  
Washington, DC

EV&M  
April 13, 2004  
Page 2

Please acknowledge receipt and assume responsibility for these files by signing and returning the attached copy of this letter.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



John C. Reich  
Merchant & Gould

JCR/map

Enclosures: Docketing Reports  
Duplicate Copy of Client Letter  
Duplicate Copy of Request to Withdraw as Attorney of Record  
File List  
Files

cc: Annuity Department  
Client Records Supervisor  
Docketing Department  
USPTO

I hereby acknowledge receipt and responsibility of the files on the attached files list.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date